



Mackenzie Valley Land and Water Board
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August 9, 2019

File: MV2013Q0017

Mr. Darrell Dean
Procure Drilling Ltd.
28076B Mackenzie Highway
HAY RIVER NT X0E 0R4

Email: ddean@northwestel.net

Dear Mr. Dean:

Land Use Permit – Approval of Extension
Quarry Operation – NWT Highway #5, KM 34.1

On August 8, 2019, the Mackenzie Valley Land and Water Board (MVLWB) extended the term for Land Use Permit (Permit) MV2013Q0017 as per your January 9, 2019 request, and in accordance with subsection 26(6) of the Mackenzie Valley Land Use Regulations.

Attached is the updated Permit, which now expires on May 21, 2021. A copy of this Permit and all related correspondence and documents has been filed on the [Public Registry](#) at the MVLWB office.

If you have any questions or concerns, please contact Julian Morse at (867) 766-7453 or email jmorse@mvlwb.com.

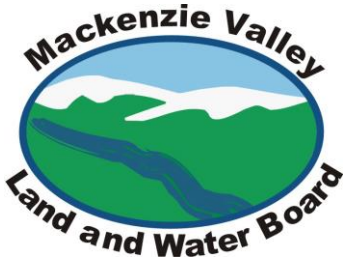
Yours sincerely,

A handwritten signature in blue ink, appearing to read "Mavis Cli-Michaud".

Mavis Cli-Michaud
MVLWB, Chair

Copied to: Distribution List
Norman McCowan, Inspector, Government of the Northwest Territories – Lands

Attached: Land Use Permit MV2013Q0017



**Land Use Permit –
Extension**

Permit Class	Permit No	Amendment No
B	MV2013Q0017	-

Subject to the Mackenzie Valley Land Use Regulations and the terms and conditions in this Permit, authority is hereby granted to:

Procore Drilling Ltd.

Permittee

to proceed with the land use operation described in the Application of:

Signature Mr. Darrel Dean	Date August 22, 2013
Type of Land Use Operation Quarry Operation	
Location NWT Highway #5, KM 34.1	

This Permit may be assigned, discontinued, suspended, or cancelled pursuant to the Mackenzie Valley Land Use Regulations.

Dated at Yellowknife this 9 day of August, 2019

Signature Chair

Mavis Cli-Michaud

Signature Witness

Amanda Gauthier

Effective Date

May 22, 2014

Expiry Date

May 21, 2021

ATTENTION

It is a condition of this Permit that the Permittee comply with the provisions of the *Mackenzie Valley Resource Management Act* and Regulations and the terms and conditions set out herein. A failure to comply may result in suspension or cancellation of this Permit.

Conditions Annexed to and Forming Part of Land Use Permit MV2013Q0017

Part A: Scope of Permit

1. This Permit entitles ProCore Drilling Ltd. to quarry granular materials from an existing gravel pit located at kilometre 34.1 of NWT Highway #5:

W115° 16.5	W115° 13.81
N60° 44.12	N60° 44.37

2. This Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, item 1 of this Permit.
3. Compliance with the terms and conditions of this Permit does not absolve the Permittee from the responsibility for compliance with the requirements of all applicable federal, territorial, and municipal legislation.

Part B: Definitions (defined terms are capitalized throughout the Permit)

Act - the *Mackenzie Valley Resource Management Act*.

Board - the Mackenzie Valley Land and Water Board established under Part 4 of the *Mackenzie Valley Resource Management Act*.

Fuel Storage Container - a container for the storage of **petroleum** or **allied petroleum products** with a capacity of less than 230 litres.

Habitat - the area or type of site where a species or an individual of a species of wildlife naturally occurs or on which it depends, directly or indirectly, to carry out its life processes.

Inspector - an Inspector designated by the Minister under the *Mackenzie Valley Resource Management Act*.

Minister - the Minister of Indian Affairs and Northern Development.

Ordinary High Water Mark - the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing waters (rivers, streams) this refers to the "active channel/bank-full level" which is often the 1:2 year flood flow return level. In inland lakes, wetlands, or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by water so as to leave a mark on the land and where the natural vegetation changes from predominately aquatic vegetation to terrestrial vegetation (excepting water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

Secondary Containment - containment that prevents liquids that leak from Fuel Storage Tanks or containers from reaching outside the containment area and includes double-walled Tanks, piping, liners, and impermeable barriers.

Spill Contingency Plan - a document, developed in accordance with Aboriginal Affairs and Northern Development Canada's *Guidelines for Spill Contingency Planning* (April 2007), that describes the set of procedures to be implemented to minimize the effects of a spill.

Toxic - a substance that enters or may enter the environment in a quantity or concentration or under conditions such that it:

- a) Has or may have an immediate or long-term harmful effect on the environment or its biological diversity;
- b) Constitutes or may constitute a danger to the environment on which life depends; or
- c) Constitutes or may constitute a danger in Canada to human life or health.

Waste Management Plan - a document, developed in accordance with the Board's *Guidelines for Developing a Waste Management Plan*, that describes the methods of waste management from waste generation to final disposal.

Watercourse - a natural body of flowing or standing water or an area occupied by water during part of the year, and includes streams, springs, swamps and gulches but does not include groundwater.

Part C: Conditions Applying to All Activities (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

26(1)(a) Location and Area

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| 1. | The Permittee shall not conduct a quarry operation within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | Quarry Setback |
| 2. | The Permittee shall not conduct this land-use operation on any lands not designated in the completed application. | Location of Activities |
| 3. | The Permittee shall not conduct any part of the land use operation within 300 metres of any privately owned or leased land or structure, unless otherwise authorized in writing by the Board. | Private Property |
| 4. | Prior to the commencement of the land-use operation, the Permittee shall mark each corner of the land use area. | Mark Area |
| 5. | The Permittee shall maintain the corner markings until the area is reclaimed. | Corner Posts |
| 6. | Prior to the commencement of the land-use operation, the Permittee shall accompany an Inspector during an inspection of the proposed land use area. | Inspect Locations |

26(1)(b) Time

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| 7. | At least 48 hours prior to the commencement of this land-use operation, the Permittee's Field Supervisor shall contact an Inspector at (867) 874-6995. | Contact Inspector |
| 8. | At least 48 hours prior to commencement of this land-use operation, the Permittee shall provide the following information, in writing, to the Board <u>and</u> an Inspector:
a) the name(s) of the person(s) in charge of the field operation;
b) alternates; and
c) all methods for contacting the above person(s). | Identify Agent |
| 9. | At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:
a) the plan for removal or storage of equipment and materials; and
b) when final cleanup and reclamation of the land used will be completed. | Reports Before Removal |

26(1)(c) Type and Size of Equipment

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| 10. | The Permittee shall not use any equipment except of a similar type, size, and number to that listed in the complete application. | Only Approved Equipment |
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26(1)(d) Methods and Techniques

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26(1)(e) Type, Location, Capacity, and Operation of All Facilities

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| 11. | The Permittee shall ensure that the land use area is kept clean at all times. | Clean Work Area |
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26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land

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| 12. | The land-use operation shall not cause obstruction to any natural drainage. | Natural Drainage |
| 13. | The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface. | Prevention of Rutting |
| 14. | The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting. | Suspend Overland Travel |
| 15. | The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. | Vehicle Movement Freeze-up |
| 16. | The Permittee shall slope the sides of waste material piles, excavations, and embankments — except in solid rock — to a minimum ratio of 2:1 vertical, unless otherwise authorized in writing by an Inspector. | Excavation and Embankments |
| 17. | The Permittee shall minimize erosion by installing erosion control structures as the land-use operation progresses. | Progressive Erosion Control |
| 18. | The Permittee shall not excavate land within 100 metres of the high water mark of any watercourse, unless otherwise authorized in writing by an Inspector. | Excavate Near Watercourse |

26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material

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| 19. | At least seven days prior to the use of any chemicals that were not identified in the completed application, the MSDS sheets must be provided to an Inspector and the Board. | Chemicals |
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20.	The Permittee shall maintain a record of all spills. For all reportable spills, in accordance with the GNWT <i>Spill Contingency Planning and Reporting Regulations</i> , the Permittee shall: <ul style="list-style-type: none"> a) immediately report each spill to the 24-hour Spill Report Line (867) 920-8130; b) report each spill to an Inspector within 24 hours; and c) submit, to the Board and an Inspector, a detailed report on each spill within 30 days. 	Report Spills
21.	The Permittee shall dispose of all Toxic substances as described in the approved Waste Management Plan.	Waste Chemical Disposal
22.	The Permittee shall dispose of all combustible waste petroleum products by removal to an approved disposal facility.	Waste Petroleum Disposal
26(1)(h) Wildlife and Fish Habitat		
23.	The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation.	Habitat Damage
26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage		
24.	The Permittee shall adhere to the approved Waste Management Plan and shall annually review the plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval.	Waste Management
25.	The Permittee shall dispose of all garbage, waste, and debris as described in the approved Waste Management Plan, unless otherwise authorized in writing by an Inspector.	Remove Garbage
26(1)(j) Protection of Historical, Archaeological, and Burial Sites		
26.	The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground.	Archaeological Buffer
27.	The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.	Site Disturbance
28.	The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered: <ul style="list-style-type: none"> a) immediately suspend operations on the site; and b) notify the Board at (867) 669-0506 or an Inspector at (867) 874-6995, and the Prince of Wales Northern Heritage Centre at (867) 920-6182 or 873-7688. 	Site Discovery and Notification

26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value

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26(1)(l) Security Deposit

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| 29. | All costs to remediate the area under this Permit are the responsibility of the Permittee. | Responsibility for Remediation Costs |
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26(1)(m) Fuel Storage

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| 30. | The Permittee shall not place any Fuel Storage Containers or Tanks within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | Fuel Near Water |
| 31. | The Permittee shall set up all refueling points with Secondary Containment. | Secondary Containment – Refueling |
| 32. | The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | Fuel Containment |
| 33. | The Permittee shall adhere to the approved Spill Contingency Plan and shall annually review the plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. | Spill Contingency Plan |
| 34. | Prior to commencement of operations, the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | Spill Response |
| 35. | All equipment that may be parked for two hours or more, should have a haz-mat/drip tray under it or be sufficiently diapered. (Leaky equipment should be repaired immediately.) | Drip Trays |
| 36. | The Permittee shall clean up all leaks, spills, and contaminated material. | Clean Up Spills |

26(1)(n) Methods and Techniques for Debris and Brush Disposal

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| 37. | The Permittee shall progressively dispose of all brush and trees and shall complete all brush disposal; all disposal shall be completed prior to the expiry date of this Permit. | Brush Disposal/ Time |
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26(1)(o) Restoration of the Lands

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| 38. | The Permittee shall dispose of all overburden as instructed by an Inspector. | Disposal of Overburden |
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| 39. | The Permittee shall level all stockpiles of granular material located within the land use area prior to the expiry date of this Permit. | No Stockpiles |
| 40. | Prior to the expiry date of this Permit, the Permittee shall complete all cleanup and restoration of the lands used. | Final Cleanup and Restoration |
| 41. | Prior to the expiry date of this Permit, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation. | Natural Vegetation |
| 42. | The Permittee shall carry out progressive reclamation of disturbed areas as soon as it is practical to do so. | Progressive Reclamation |

26(1)(p) Display of Permits and Permit Numbers

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| 43. | The Permittee shall keep a copy of this Permit on hand at all times during this land-use operation. | Copy of Permit |
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26(1)(q) Biological and Physical Protection of the Land

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